



FOI Ref: 2015/024

3rd June 2015

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

Thank you for your request for information received by mail on 5th May 2015. Please note that although your request for information was initially acknowledged under the Freedom of Information (Scotland) Act 2002 we are obliged to consider it under the Environmental Information (Scotland) Regulations 2004 as it relates to “environmental information”.

Environmental information is any information which affects elements of the environmental e.g. the land. We have therefore refused your request under section 39(2) of the Act, but your request will be considered under the Regulations instead. Your specific requests and the relevant information held by the National Park Authority are provided below.

What policy (if any) does the National Park Authority have regarding amateur/recreational gold panning within its boundaries?

The National Park Authority does not have an adopted or formal policy on gold panning within its boundaries but is in the process of developing one in response to the debate surrounding the recent increase in this activity at Tyndrum. In the meantime we consider the SNH position statement, the Crown Estate’s view on ownership of the gold and environmental and planning legislation are effectively the existing national policy context.

What role (if any) has the Park Authority had in the recent curbing of this activity at Tyndrum

The National Park Authority has been in contact with a number of public agencies and government bodies, specifically Police Scotland, the Crown Estate, SNH and SEPA to discuss the matter. We will be taking their expertise and advice into account in formulating our own policy on gold panning. We are also examining an informal proposal for regulating recreational gold panning that a member of the public has put forward to Strathfillan Community Council.

In addition, we have been asked to respond to concerns from members of the local community about litter, inconsiderate parking, camping, noise and so on in the Tyndrum area, some of which appears to be linked to individual panners encamped in the area. We have responded to these concerns through our on-going ranger patrols in the area, conveying messages about responsible access to campers in the area.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34’24”W Lat: 56°00’12”N
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Finally, we have responded to some queries for the public asking about gold panning. Our advice to enquirers has been that we understand:

- i) the gold is the property of the Crown Estate and its removal would require their permission failing which it would be illegal
- ii) landowner permission should also be sought
- iii) any activity that would amount to 'operational development' in a planning sense should be the subject of a prior planning application
- iv) we have highlighted the risks of impacts on the river environment including to juvenile salmon and other species that have legal protection.

What scientific evidence (if any) does the Authority have indicating that panning has any detrimental effect on the environment?

It is well established that there is considerable potential for artificial movement or disturbance of sediment and redirection of flows in rivers to adversely affect river ecology, morphology and fish, particularly to eggs and juveniles of species such as salmon, trout and lampreys, as well as to fresh-water pearl mussels. We have not undertaken or commissioned any new monitoring or research.

Yours sincerely

Information Officer

info@lochlomond-trossachs.org

Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to the Director of Corporate Services:

Jaki Carnegie
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
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G83 8EG
E-mail: info@lochlomond-trossachs.org

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The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

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